

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Lawrence De Leon Lomaz,)	CASE NO. 5:03 CV 2609
)	
Plaintiff,)	JUDGE PATRICIA A. GAUGHAN
)	
vs.)	
)	
Ohio Department of Commerce,)	<u>Order</u>
Division of State Fire Marshal, et al.,)	
)	
Defendants.)	

IT IS HEREBY ORDERED that:

1. Lawrence De Leon Lomaz aka Larry Lomaz (“Lomaz”) is hereby declared a “vexatious litigator” as defined in Ohio Revised Code § 2323.52(A)(3) and under federal law.
2. Unless Lomaz first obtains leave of this Court to institute a legal proceeding or an application based upon reasonable grounds and which is not an abuse of process, he is prohibited, both individually and through any of his affiliates or related companies or business entities (including without limitation Pacific Financial Services of America, Inc. and Midwest Fireworks Manufacturing Co., Inc. II) (collectively “Lomaz Entities”), either *pro se* or through legal counsel, from:

- (a) Instituting legal proceedings (including counterclaims, crossclaims or third-party complaints) in (i) any Ohio court, including the court of claims or in a court of common pleas, municipal court, county court, court of appeals, or The Supreme Court of Ohio or (ii) any federal court; or
- (b) Continuing any legal proceedings (including counterclaims, crossclaims or third-party complaints) that he has instituted prior to the entry of this order in (i) any Ohio court, including the court of claims or in a court of common pleas, municipal court, county court, court of appeals, or The Supreme Court of Ohio or (ii) any federal court; or
- (c) Making or filing any motion or application in any legal proceedings, whether instituted by either one of the Lomaz Entities or any other entity in (i) any Ohio court, including the court of claims or in a court of common pleas, municipal court, county court, court of appeals, or The Supreme Court of Ohio or (ii) any federal court, except for an application to this Court for leave to take one of the actions prohibited above, or
- (d) Issuing any subpoenas or causing any court to issue a subpoena; or
- (e) Sending any threatening letter or other threatening communication to any person if it is related in any way to litigation; or
- (f) Causing any company or other entity which he controls or owns, to do any of the foregoing.

3. During the period of time that this Order is in force, no appeal by Lomaz (or a Lomaz Entity) shall lie from a decision of this Court that denies him leave, pursuant to O.R.C. § 2323.52(F) or pursuant to federal law, for taking any of the actions listed in paragraph 2 above.

4. Any request for leave pursuant to paragraph 2(c) above shall (a) be filed with the Clerk of Courts for the United States District Court for the Northern District of Ohio, (b) demonstrate that the proceedings or application are not an abuse of process and that there are reasonable grounds for the proceeding or application, (c) be served on any party which would be adversely affected by Lomaz's proposed action, which party shall have an opportunity to respond.

5. The Clerk of Courts shall send a certified copy of this Order to the Supreme Court of Ohio for publication in a manner that the Supreme Court of Ohio determines is appropriate and that will facilitate the clerk of the court of claims and a clerk of a court of common pleas, municipal court, county court, court of appeals, The Ohio Supreme Court and all federal courts in refusing to accept pleadings or other papers submitted for filing by Lomaz or a Lomaz Entity who has been found to be a Vexatious Litigator, if he has failed to obtain leave as required by this Order.

6. Whenever it appears by suggestion of any person or entity that Lomaz or a Lomaz Entity has instituted, continued, or made an application in legal proceedings without obtaining leave to proceed from this Court, the court in which the legal proceedings are pending shall dismiss the proceedings or application of Lomaz or the Lomaz Entity.

7. This Order shall remain in force indefinitely unless and until modified by this Court.

IT IS SO ORDERED.

/s/ Patricia A. Gaughan
PATRICIA A. GAUGHAN
United States District Judge

Dated: 4/20/05